

DS State Program Standing Committee (SPSC)

January 21, 2021

Microsoft Teams Meeting

Attendees

Committee Members: Ed Place, David Ballou, Max Barrows, Bethany Drum, Joy Redington, Susan Yuan, Anne Bakeman, Lynn Ujlaky, Rachel Colby, Barb Prine

Guests: Judy Cookson, Jen Hayes, Kara Artus, Michel Kersten, Ross Almo, Lee Reilly, Elise Haydon, Jess Moore, Julie Cunningham, Karen Price, Lynne Cleveland Vitzthum, Mark Prior, Cheryl Thrall, Julie Martin

State Employees: Selina Hickman, Nancy Marinelli, Jessica Bernard, June Bascom, Chris O'Neill, Kirsten Murphy, Clare McFadden, Susan Aranoff,

Roll Call, Review of Agenda & SPSC Member Check-In

A roll call was completed, and the meeting agenda was reviewed. Some members gave updates.

Additional agency review

Westview Court, RMHS

In the fall, Rutland Mental Health Services (RMHS) closed Westview Court, an intermediate care facility (ICF) that was a home for 6 people. DAIL is responsible for reviewing the closure, how it progressed, if it met standards, if there are any lessons that can be learned, and to ensure the individuals' needs are met for the individuals being transferred. DAIL will work with the agency, review documentation that is being sent at the end of the month, talk with staff, and will talk with stakeholders who were involved in the transition of the individuals. Additional agency reviews take time, and it may be about 6 months before all the information is pulled together and a report is available. DAIL will share this final report with the agency and with the SPSC when it is available.

The core reason for the closure was due to the national and statewide nursing shortage. Westview was struggling to provide staffing for support services and then the pandemic occurred which created greater instability. The facility closed in early October. There is a shortage of staffing at agencies around the state; Selina is looking into these workforce issues.

Vermont used to have multiple Intermediate Care Facilities (ICFs) which closed or changed to group homes. Westview was the only ICF left in Vermont. Vermont is now one of less than 5 states without an ICF.

The 6 participants that lived in Westview ranged in age, and staff were very involved in locating a new placement and the transition. Some participants were able to move into a location where less services are needed; however, not everyone is in their desired home yet.

DAIL has started the preliminary planning work about the future capacity of what Vermont will need – capacity need and where to target efforts. Stakeholder input is part of the plan; however, at this time there is no timeline or steps created to get there.

Northeast Kingdom Mental Health Service (NKHS)

The Commissioners for DAIL and for the Department of Mental Health (DMH) received complaints about the leadership of Northeast Kingdom Mental Health (NKHS) which led to a lot of questions and concerns about the leadership style and how the organization was being run, possible conflicts of interest, and the lack of people in appropriate positions. These things mostly affected the clinical services and intakes and put the agency in jeopardy with the mental health part of the program. An agency review of NKHS, by DAIL and by DMH, started in March 2020. Interviews were conducted with the Board of Directors, individuals, the Standing Committee, as well as others, and the files were reviewed.

On November 11, 2020, Commissioner Squirrel and her team from DMH met with the NKHS Board and leadership team, to go over the findings from the Agency Review and discuss expectations from a required plan of correction. DMH is working closely with NKHS on that plan of correction, and interim supports, including support from agencies in the area as needed. As of the beginning of the year, the former President and CEO of NKHS resigned and the agency hired Interim Director, Paul Bengtson and Assistant Director Carol Boucher to work with the Board in addressing the identified areas from the Agency Review.

The DDS Quality Management Team performed the bi-annual quality services review of NKHS ID/DS program in October and November 2019. The report from that review highlighting some of the same issues concerning staff training, supervision and mentoring similar to the Agency Review findings from DMH was sent the agency in January 2020 with a Plan of Correction sent to DDS in February 2020. Chris and Nikki Marabella from DDS participated in the Agency Review in March 2020 and saw signs of the plan of correction being implemented. DDS has made the decision to continue with this plan, which the agency should be able to sustain even if something happens with the mental health part of the agency.

DS Payment Reform

DS Payment Reform continues to move forward with the work in basically two areas: Needs Assessment and Encounter Data.

Needs Assessment

During the Update at the last SPSC meeting, the finalizing of a contract for an organization to conduct the Supports Intensity Scale (SIS) was noted. As of yesterday, this contract was moving through the system for approval and it is expected that in 3-4 weeks there should be a final contract in place for the Needs Assessment. Once the contract is finalized, DDSD can begin working with the contractor. Jessica Bernard will be the Contract Manager for DDSD.

Discussions about the workflow and how referrals will be made, how communication will work with the contractor and provider, and how communication with the State will all need to be discussed with the contractor once the contract is in place. Discussions will also continue about how to determine who will be in the first round to receive assessments, which will be a representative sample of people in group homes, shared living, and individuals living with their family or on their own. This sample will help determine the amounts of service and types of service based on the level of support needed. DDSD will work with the contractor and the Department of Vermont Health Access (DVHA) about how this will be set up. The assessments using the SIS will begin in July.

The experience in other states that use the scores from the SIS for establishing budgets is that the SIS does not adequately identify the needs of people with very high medical or behavioral needs. The Needs Assessment workgroup had also identified areas where they felt the SIS was missing some information regarding people's needs. For these reasons, we are working on developing some supplemental questions to ensure that we have all the information needed when determining funding for individuals.

Encounter Data

The DS Payment Reform team is working with agency billing managers and the Encounter Data Workgroup on an update to the Encounter Data Submission Guidance which provides information for providers on how to report what services people receive. We have been working to identify additional codes to represent all the services that are provided. The next steps include finalizing the list of codes, setting up new codes in the Medicaid Management Information System (MMIS), updating the guidance about how to report the new codes, and setting up a training with the providers with expectations and staff training. The agencies will start to report the encounter data in the MMIS system on March 1st. The State is also working with ARIS for changes to the timesheets for people paid through ARIS and to schedule a training for employers of record and employees who need to adapt to the change. The State will work with community partners to troubleshoot any areas that need to be fixed. (The MMIS system is a system set up by the State of Vermont in which doctors and other health care providers and agencies send in bills for Medicaid payments. Even though the encounter data will not be paid by Medicaid, it will be using the same reporting system. The system has a lot of capabilities and

can allow the State to examine rates paid to providers, utilization of services, and other information about Medicaid services.)

A DS Payment Reform Advisory Committee meeting was held last month. Once the Needs Assessment and Encounter Data are underway, the State will work on designing a payment model. There needs to be at least 6 months of solid encounter data and 500-700 SIS completed needs assessments available before the work for the payment model begins; the State will monitor the reporting and assess when the data will be reliable to be used. Stakeholder engagement will be obtained.

DDSD Updates

With the change of presidency, there is a new position on disability policies. We are hopeful about what this might mean for States working with the new administration and people with disabilities.

The vaccination rollout has dominated conversations since the beginning of December. The Vermont Department of Health (VDH) has created a great webpage about vaccinations. <https://www.healthvermont.gov/covid-19/vaccine/getting-covid-19-vaccine>. Vermont is looking at the Centers for Disease Control and Prevention (CDC) guidelines and people with disabilities are included in the rollout when looking at age and underlying conditions. There is no plan or consideration to look at people with disabilities as a distinct group. There is a sense of anxiety of wanting to ensure everyone will have timely and equitable access. Changes and updates are being made daily.

Any DS group home is licensed and is on the list of facilities for clients and staff to get the vaccination. It is possible that there may be some settings that are supported by an agency in which people with disabilities live that do not fall into this DS structure.

Selina is trying to get more information about whether the vaccine could be available for family members who have taken on caregiving and who are getting paid by ARIS.

DDSD took the recommendation of the SPSC and added a topic to the next DS Townhall: Employment for people with disabilities. DDSD and the Division of Vocational Rehabilitation (VR) will share the facilitation at next week's meeting.

The DDSD Annual Report is in the final stages of approval and will be submitted to the legislature.

GMSA, VCP, DD Council Updates & Wrap-Up

Green Mountain Self-Advocates (GMSA)

GMSA is continuing to have weekly calls on the state and national level through the Self Advocacy Resource and Technical Assistance Center (SARTAC.) They spent time after January 6th processing with Vermont self-advocates and many others from across the country about the riot and the challenge in Congress to question the results of the election. This month, they are focusing on teaching self-advocates about different civil rights movements, and honored Martin Luther King. Today a zoom meeting will be on the civil rights for LGBTQ+ individuals, and there will be one held on the Self-Advocacy civil rights movement. They are contrasting and comparing how these movements make change by using the courts, legislation and direct action.

GMSA has completed a plain language assessment tool for Cultural and Linguistic Competence for any language. They took a tool made by Georgetown University with over 100 questions and adapted it so that self-advocacy groups could use it.

The GMSA plain language booklet on the vaccines is being translated into Spanish. They are trying to ensure people have the facts about the vaccine.

DD Council

The VT Human Rights Commissioner, Office of Civil Rights is taking the lead on responding to a request about discrimination for people with disabilities and what Vermonter's have experienced. They want to ensure this is on the national agenda.

VT Care Partners (VCP)

Next Wednesday there is a free legislative advocacy webinar. Lynne Cleveland Vitzthum will send the link.

Wrap-Up

Allison Barkoff was appointed by the Biden-Harris Administration for the Administration for Community Living in HHS. Allison is a strong advocate who has a brother with Downs Syndrome, and she understands the issues parents with disabilities face.